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Attorneys for Plaintiff
 DEL MAR SEAFOODS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEL MAR SEAFOODS, INC.

Plaintiff,

vs.

BARRY COHEN, CHRIS COHEN (aka
 CHRISTENE COHEN), *in personam* and
 F/V POINT LOMA, Official Number
 515298, a 1968 steel-hulled, 126-gross ton,
 70.8- foot long fishing vessel, her engines,
 tackle, furniture, apparel, etc., *in rem*, and
 Does 1-10,

Defendants.

Case No.: 3:07 CV 02952 *WHA*

**ORDER ON PLAINTIFF DEL MAR
 SEAFOODS, INC.'S EX PARTE
 APPLICATION FOR ORDER
 PERMITTING SUBSTITUTE
 CUSTODIAN TO MOVE THE
 VESSEL**

PROPOSED

GOOD CAUSE appearing therefor in the Ex Parte Application of Plaintiff Del Mar Seafoods, Inc. for an Order Permitting the Substitute Custodian to Move Vessel Once Within the District,

IT IS HEREBY ORDERED that National Maritime Services, Inc. ("NMSI"), the duly-appointed Substitute Custodian in this action, is hereby authorized to make a one-time movement of the Defendant F/V POINT LOMA, Official Number 515298, from its present location within the District (the Hyde Street Pier in San Francisco, California) to Svendsen's Boat Yard, 1851 Clement Avenue, Alameda, California 94501, with said Vessel movement to be accomplished by using the towage services of the Substitute Custodian's appointed

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DelMarSeafoods2504

1 servant and tow boat operator as soon after the Vessel's arrest as NMSI deems it practicable
2 and safe; and

3 **IT IS FURTHER ORDERED** that the reasonable costs of so moving the Vessel
4 shall be deemed a cost of *custodia legis* under 28 U.S.C. §1921.

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6 DATED: June 8, 2007


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8 U.S. DISTRICT COURT JUDGE
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